

COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures, to which was referred Engrossed House Bill 1933 because it conflicts with SEA 257-2003 without properly recognizing the existence of SEA 257-2003, has had Engrossed House Bill 1933 under consideration and begs leave to report back to the House with the recommendation that Engrossed House Bill 1933 be corrected as follows:

- 1 Page 2, after line 22, begin a new paragraph and insert:
- 2 "SECTION 3. IC 10-17-4-1, AS ADDED BY SEA 257-
- 3 2003, SECTION 8, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2003]: Sec. 1. (a) **This section is**
- 5 **subject to IC 10-16-7-5 and IC 10-16-7-6.**
- 6 **(b) A person who:**
- 7 (1) is a qualified member of the reserve components of the
- 8 armed forces;
- 9 (2) is a member of the Ready Reserve;
- 10 (3) is a member of an organized unit;
- 11 (4) in order to receive military training with the armed
- 12 forces of the United States not to exceed fifteen (15) days
- 13 in one (1) calendar year:
- 14 (A) leaves a position other than a temporary position in
- 15 the employ of an employer; and
- 16 (B) provides evidence:
- 17 (i) defining date of departure and date of return for
- 18 purposes of military training ninety (90) days before
- 19 the date of departure; and
- 20 (ii) of the satisfactory completion of the training
- 21 immediately after the training is completed; and
- 22 (5) is qualified to perform the duties of the position
- 23 described in clause (A);

1 is entitled to be restored to the person's previous or a similar
2 position with the same status and pay.

3 ~~(b)~~ (c) Seniority continues to accrue during a period of
4 absence described in subsection (a), and the period of absence
5 for military training must be construed as an absence with
6 leave. At the discretion of the employer, the leave may be with
7 or without pay.

8 SECTION 4. IC 10-17-4-4, AS ADDED BY SEA 257-2003,
9 SECTION 8, IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2003]: Sec. 4. (a) **This section is**
11 **subject to IC 10-16-7-5 and IC 10-16-7-6.**

12 (b) A person who, as a reserve member of the armed forces
13 of the United States, is called upon to receive temporary
14 military training is entitled to a temporary leave of absence
15 from the person's employer not to exceed fifteen (15) days per
16 calendar year. A person described in this section shall:

17 (1) provide the employer with evidence of the dates of the
18 person's departure and return as soon as practicable before
19 the person's departure; and

20 (2) furnish the employer, upon the person's return,
21 evidence of the person's satisfactory completion of the
22 training.

23 Upon the person's return, the person shall be restored to the
24 person's previous or similar position, with the same status that
25 the person held before leaving for the person's training period.

26 ~~(b)~~ (c) A leave granted under this section may be granted,
27 with or without pay, within the discretion of the employer.

28 ~~(c)~~ (d) A temporary leave of absence granted under this

1 section does not affect the rights of the person to vacation leave,
2 sick leave, or other normal benefits of the person's
3 employment.".

(Reference is to EHB 1933 as printed March 28, 2003.)

Representative Pelath, Chairperson

Representative Whetstone, R.M.M.

Representative Ayres, Author